

SENATE No. 396

To accompany the petition of Charles W. Olson and Clarence F. Telford for legislation relative to trailer coach parks. Public Health.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Fifty.

AN ACT RELATIVE TO TRAILER COACH PARKS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 140 of the General Laws,
2 as amended, is hereby further amended by inserting
3 after section 40, as appearing in the Tercentenary
4 Edition, the following eight sections, under the
5 caption TRAILER COACH PARKS:—

6 *Section 40A.* Any lot or tract of land upon
7 which three or more trailer coaches occupied for
8 dwelling purposes are located, including any build-
9 ings, structures, fixtures and equipment used in
10 connection with trailer coaches, shall be deemed a
11 trailer coach park. No lot or tract of land may be
12 used for a trailer coach park unless the owner or
13 occupant thereof is the holder of a license granted
14 by the licensing authority.

15 *Section 40B.* Application for a license to conduct,
16 control, manage or operate, directly or indirectly,
17 such park shall be made to the clerk of the licensing

18 authority, and shall have endorsed thereon the cer-
19 tificates of approval or disapproval of the state
20 department of public health and the local board of
21 health. Such license shall be recorded in the office
22 of the city or town clerk. Any license granted here-
23 under or any license granted prior to the effective
24 date hereof, relative to a trailer camp, shall remain
25 in force unless suspended or revoked as hereinafter
26 provided.

27 *Section 40C.* The owner or occupant of said land
28 licensed as provided in section forty B, and the
29 holder of any license for a trailer camp issued prior
30 to the effective date hereof, shall annually, on or
31 before April thirtieth, file with the city or town clerk
32 where such license is to be or has been exercised, a
33 certificate of registration setting forth the name and
34 address of the holder of such license. Such fee as
35 may be established from time to time by ordinance
36 or by-law may be charged for any such license or
37 registration, provided the fee for the license shall not
38 exceed fifty dollars, and the fee for the annual
39 registration shall not exceed three dollars.

40 *Section 40D.* Any license granted hereunder, or
41 any license granted prior to the effective date hereof
42 relative to trailer parks, may be suspended or re-
43 voked for any violation of this chapter or any ordi-
44 nance, rule or regulation of the licensing authority,
45 after notice and a hearing given to the licensee, by
46 the licensing authority. Any person aggrieved by
47 any act, rule, order or decision of the licensing
48 authority, may appeal to the superior court. After
49 suspension or revocation the license may be rein-
50 stated or reissued if the conditions leading to suspen-

51 sion or revocation have been remedied and the park
52 is being maintained and operated in full compliance
53 with law.

54 *Section 40E.* The licensing authority, with the
55 approval of the state department of public health,
56 may adopt, and from time to time alter or amend,
57 rules and regulations for the conduct, control, man-
58 agement and operation of duly licensed trailer
59 coach parks, including so-called trailer camps li-
60 censed prior to the effective date hereof. The
61 licensing authority and the state department of
62 public health shall have jurisdiction to inspect the
63 premises so licensed and either one may compel
64 specific performance, or seek injunctive relief, in
65 equity in the superior court to enforce any rule or
66 regulation hereunder.

67 *Section 40F.* An applicant for a license for a
68 trailer coach park which has not been equipped
69 with the buildings, structures, fixtures and facilities
70 necessary to conduct a trailer coach park, shall file
71 with the licensing authority a plan showing the
72 buildings, structures, fixtures and facilities, and in
73 general the proposed set-up which he plans to have
74 upon said premises if and when the license may
75 issue, together with an itemized estimate of the cost
76 of the same, and thereupon the licensing authority,
77 with the approval of the state department of public
78 health, shall grant a trailer coach park license upon
79 the condition that such license shall issue upon the
80 completion of the premises according to the plans
81 and estimate submitted, providing that the proposed
82 trailer coach park will be in compliance with all
83 applicable laws, ordinances, rules and regulations.

84 Such conditional license may be suspended or re-
85 voked in accordance with the provisions of section
86 forty D.

87 *Section 40G.* Every holder of a license for a
88 trailer coach park shall keep or cause to be kept, in
89 permanent form, a register in which shall be re-
90 corded the true name or name in ordinary use,
91 address and registration of each owner and occupant
92 of a trailer coach or motor vehicle renting space at
93 such park, the date of entering and the date of
94 leaving of said trailer coach or motor vehicle. Such
95 register shall be retained by the holder of the license
96 for a period of at least one year after the date of the
97 last entry, and shall be open to the inspection of the
98 licensing authorities, their agents, and the police.
99 Whoever wilfully and knowingly violates any pro-
100 vision of this section shall be punished by a fine of
101 not less than five dollars nor more than one hundred
102 dollars.

103 *Section 40H.* If the trailer coach owner holds
104 possession of a trailer coach space in a trailer coach
105 park without right, after the determination of a
106 lease by its own limitation, or by notice to quit, or
107 otherwise the licensee entitled to the trailer coach
108 space may recover possession thereof by summary
109 process.

1 SECTION 2. Chapter 255 of the General Laws is
2 hereby amended by inserting after section 25, as
3 appearing in the Tercentenary Edition, the following
4 section:—

5 *Section 25A.* Persons maintaining trailer coach
6 parks for the rental of space to be occupied by trailer
7 coaches and vehicles, for the furnishing of facilities

8 in connection therewith, and for the storage and
9 care of trailer coaches brought to their premises or
10 placed in their care by and with the consent of the
11 owners thereof, shall have a lien upon such trailer
12 coaches and the contents thereof for the rental
13 charges, and such other proper charges in connection
14 therewith.

1 SECTION 3. Section 26 of said chapter 255, as so
2 appearing, is hereby amended by striking out, in
3 line 6, the words "or twenty-five" and inserting in
4 place thereof the words: — , twenty-five or twenty-
5 five A, — so as to read as follows:— *Section 26.*
6 A person who has a lien, which is not described in
7 sections fourteen to twenty-two, inclusive, or in
8 chapter two hundred and fifty-four, for money
9 due to him on account of work and labor, storage,
10 care and diligence, or money expended on or about
11 personal property under a contract express or im-
12 plied, if such money is not paid, in the case of a lien
13 described in section twenty-four, twenty-five or
14 twenty-five A within ten days, or in other cases
15 within sixty days, after a demand in writing delivered
16 to the debtor or left at his usual place of abode, if
17 within the commonwealth, or mailed postpaid to him
18 at his usual place of abode without the common-
19 wealth, may file a petition in the superior court or
20 in a district court within the jurisdiction of which
21 the petitioner resides or has his usual place of busi-
22 ness for an order for the sale of the property in
23 satisfaction of the debt.

1 SECTION 4. Section 27 of said chapter 255, as so
2 appearing, is hereby amended by striking out, in

3 line 7, the words "or twenty-five" and inserting in
4 place thereof the words: — , twenty-five or twenty-
5 five A, — so as to read as follows: — *Section 27.*
6 The court shall thereupon issue a notice to the owner
7 of the property to appear at a time and place desig-
8 nated, which shall be served by an officer qualified
9 to serve civil process or by a disinterested person by
10 delivering to the owner or by leaving at his usual
11 place of abode, if within the commonwealth, a copy
12 thereof seven days before the hearing in proceedings
13 to enforce liens described in section twenty-four,
14 twenty-five or twenty-five A or fourteen days before
15 the hearing in other cases. The return, if not made
16 by an officer, shall be on oath.

1 SECTION 5. Section 31 of said chapter 255, as so
2 appearing, is hereby amended by striking out, in
3 line 1, the word "eight" and inserting in place
4 thereof the word: — nine, — so as to read as follows:
5 — *Section 31.* The nine preceding sections shall
6 not restrict the right of a person who has a lien upon
7 property to hold or dispose of it in any other lawful
8 manner.

